



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

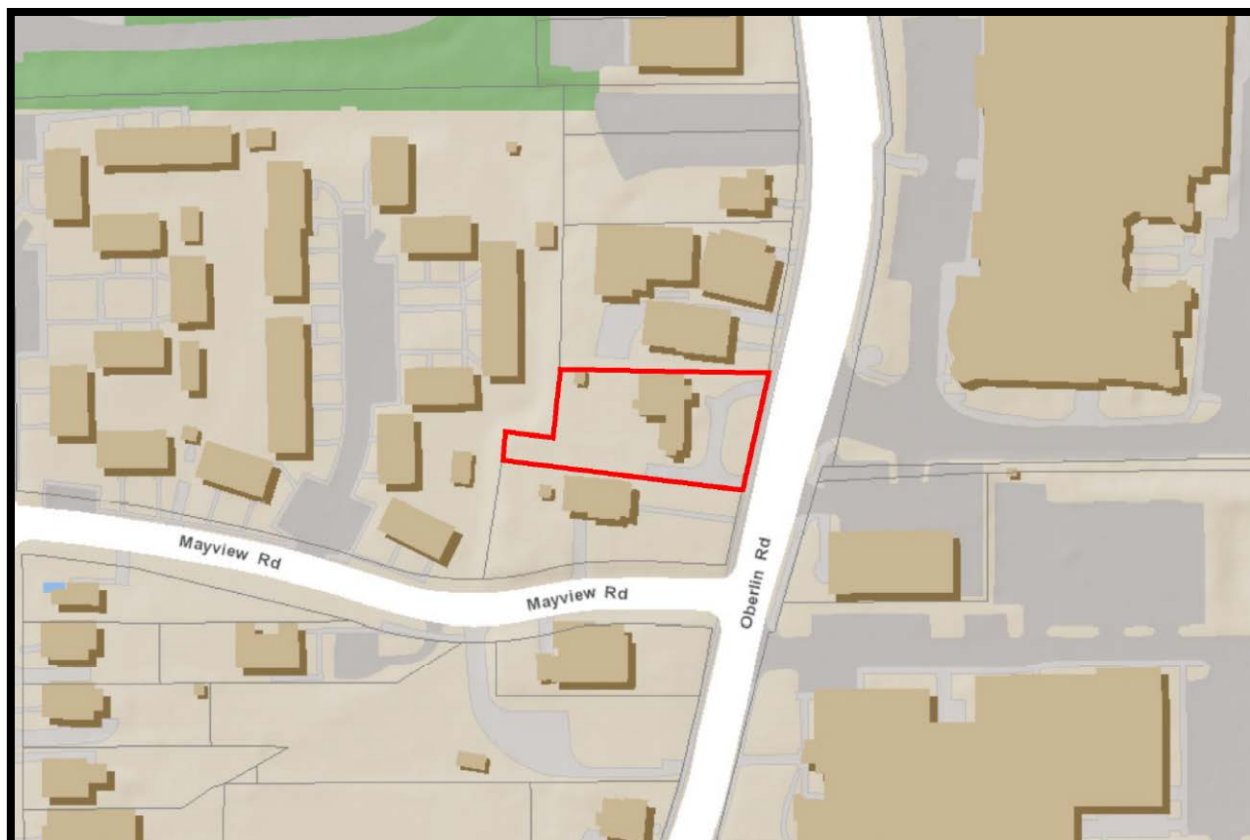
Case File: A-123-16

Property Address: 1019 Oberlin Road

Property Owner: 1019 Oberlin Road, LLC

Project Contact: Kimberly Wicker

Nature of Case: A request for a 6.5' variance for the minimum height of the wall (for 40 LF), a 10' variance to the width of the landscape area (for 97 LF), and complete relief from the landscaping requirements (for 97 LF) for portions of the Neighborhood Transition called for in Article 3.5 of the Unified Development Ordinance along the southern property line to allow for a change of use to an office on a .34 acre property zoned Office Mixed-Use 3 Parking Limited Conditional Use, Neighborhood Conservation Overlay District and Special Residential Parking Overlay District located at 1019 Oberlin Road.

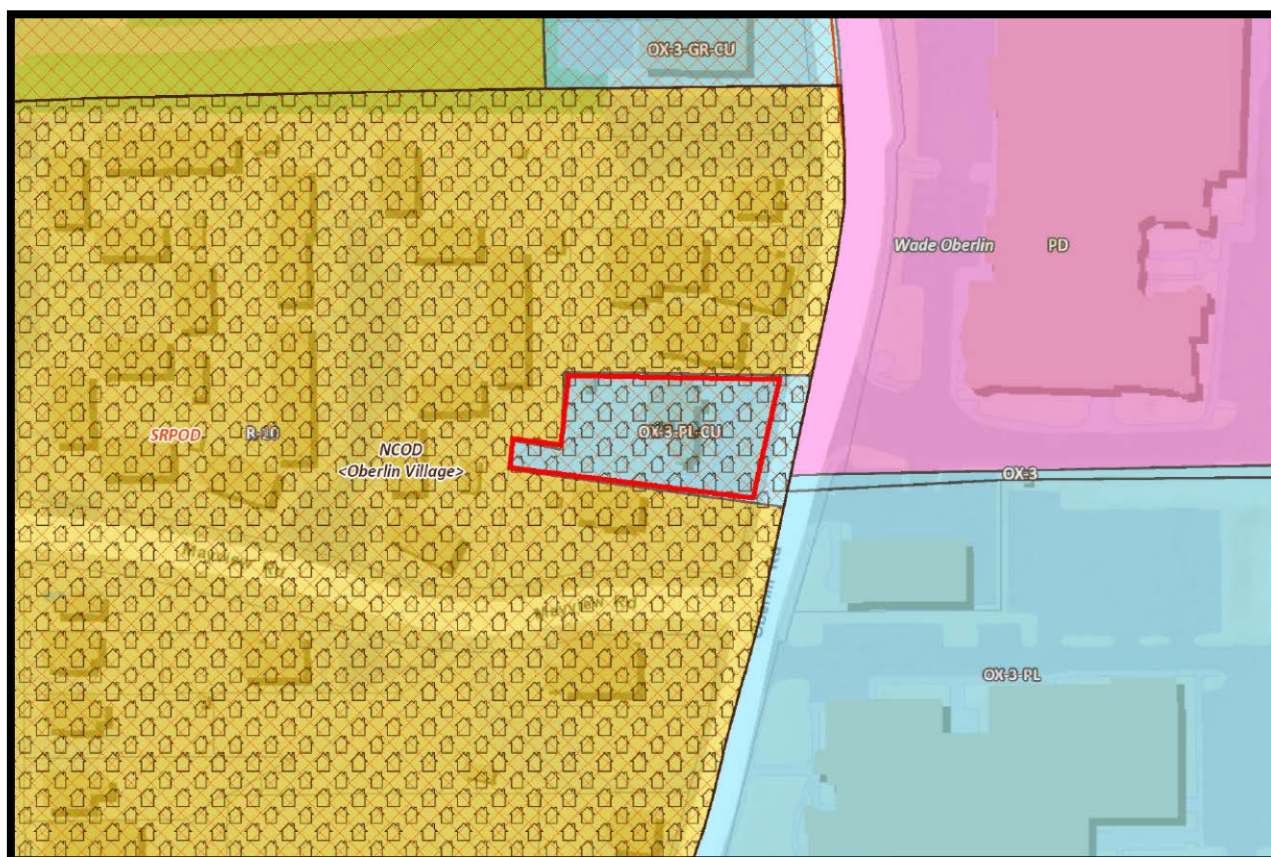


1019 Oberlin Road – Location Map

To BOA: 11-14-16

Staff Coordinator: Eric S. Hodge, AICP

ZONING DISTRICTS: Office Mixed-Use-3-Parking Limited (OX-3-PL)



1019 Oberlin Road – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Setback Standards: The subject property is zoned OX-3-PL

<u>Yard Type</u>	<u>Minimum Setback</u>
Front Yard	0'
Side Street	0'
Side	0'
Rear	0'

Article 3.5. Neighborhood Transitions

Sec. 3.5.1. Applicability

- A. The following neighborhood transition standards apply in the Mixed Use and Campus Districts when the following occurs:
1. The site immediately abuts a district boundary of an R-1, R-2, R-4 or R-6 district, except where the abutting property contains a civic use; or
 2. The site immediately abuts a district boundary of an R-10 district where the abutting property is vacant or contains an existing detached house or attached house used for residential purposes.
- B. Zone B does not apply to sites 50 feet or less in depth. In such cases, Zone C starts immediately adjacent to the Zone A protective yard.
- C. Zones B and C do not apply to detached house, attached house, townhouse or apartment building types in RX- where 3 stories is the maximum height.

Sec. 3.5.2. Transition Zones

A. Zone A: Protective Yard

- 1. Intent**
Intended to buffer and screen. Consists of vegetative landscaping and wall or fence. No buildings or structures allowed.
- 2. Location**
Immediately abutting district boundary line.
- 3. Width**
Varies (depends on protective yard type applied).

B. Zone B: Use Restricted

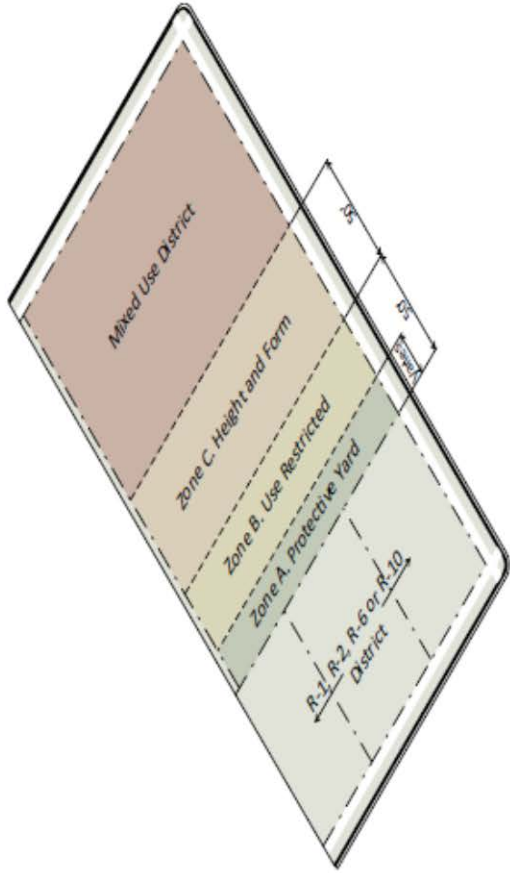
- 1. Intent**
Intended to be occupied by open areas and low intensity uses, such as surface parking, alleys, landscaping, playgrounds, outdoor dining, community serving buildings and service-related structures.
- 2. Location**
Located between Zone A and Zone C. Zone B starts at the inside edge of the Zone A protective yard (edge furthest from the district boundary line) and ends 50 feet from the district boundary line.

3. Width

50 feet from the district boundary line.

C. Zone C: Height and Form

- 1. Intent**
Intended to restrict the height and form of development so as to decrease the impact of new multi-story structures.
- 2. Location**
Located beyond and adjacent to Zone B. Zone C extends from 50 to 100 feet from district boundary line. When Zone B does not exist, Zone C starts at the inside edge of the Zone A protective yard (edge furthest from the district boundary line).
- 3. Width**
50 to 100 feet from the district boundary line. When Zone B does not exist, Zone C extends a maximum of 50 feet from inside edge of the Zone A protective yard (edge furthest from the district boundary line).



Sec. 3.5.3. Zone A: Protective Yard

A. Type 1: Narrow (10 feet)

1. Width

A Type 1 protective yard must be an average width of at least 10 feet.

2. Installation Requirements

A Type 1 protective yard must include the following:

- a. A wall between 6.5 and 9 feet in height;
- b. Four shade trees per 100 lineal feet;
- c. Three understory trees per 100 lineal feet; and
- d. 40 shrubs per 100 lineal feet.

B. Type 2: Medium (20 feet)

1. Width

A Type 2 protective yard must be an average width of at least 20 feet.

2. Installation Requirements

A Type 2 protective yard must include the following:

- a. A wall or fence between 6.5 and 9 feet in height;
- b. Five shade trees per 100 lineal feet;
- c. Four understory trees per 100 lineal feet; and
- d. 30 shrubs per 100 lineal feet.

C. Type 3: Wide (50 feet)

1. Width

A Type 3 protective yard must be an average width of at least 50 feet.

2. Installation Requirements

A Type 3 protective yard must include the following:

- a. Six shade trees per 100 lineal feet;
- b. Five understory canopy trees per 100 lineal feet; and
- c. 60 shrubs per 100 lineal feet.



3. Optional Provisions

- a. A fence or wall between 6.5 and 8 feet in height may be installed.
- b. In lieu of planting required shrubs, a berm with a minimum height of 3 feet may be installed.

4. Permitted uses

- a. Landscaping, fences, walls and berms.
- b. Swales, underground detention facilities and bioretention facilities. Detention facilities must be located at least 20 feet from the district boundary line. Landscaping quantities specified in Sec. 3.5.3.C.2. above may not be reduced.

D. Design and Installation

- 1. A required protective yard may be replaced with a tree conservation area that meets the requirements of Article 9.1. Tree Conservation.
- 2. Required landscaping in a protective yard must meet the design and installation requirements of Sec. 7.2.4.

3. In no case shall required landscaping exceed 30% of the total lot area, see Sec. 7.2.2.D.
4. Protective yards must meet the location requirements of Sec. 7.2.4.C.
5. Fences, walls and berms located in a protective yard must meet the requirements of Sec. 7.2.4.D. Fences, walls and berms cannot be located in a protective yard when the protective yard is also a tree conservation area.

Sec. 3.5.4. Zone B: Use Restrictions

A. Permitted Activity

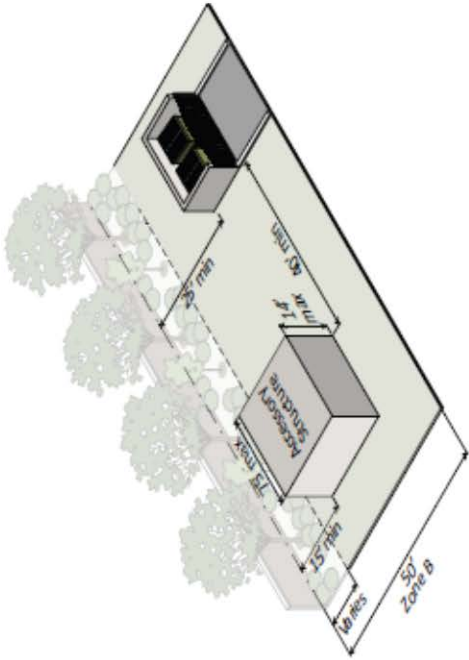
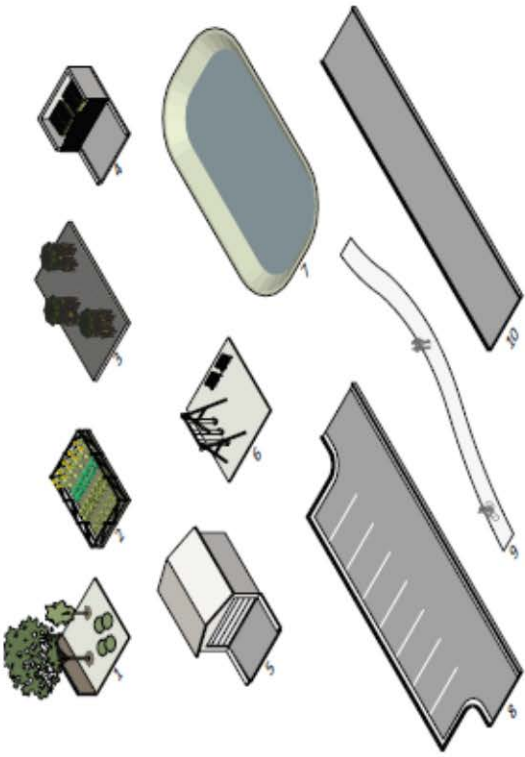
1. Protective yard, landscaping, fence, wall.
2. Garden.
3. Outdoor dining (not between the hours of 10 PM and 6 AM).
4. Service area.
5. Accessory garage, storage area.
6. Park, playground.
7. Stormwater detention.
8. Surface parking lot.
9. Path, walkway, sidewalk.
10. Alley.

B. Civic Building and Accessory Structures

1. An accessory structure can be no more than 14 feet in height and must be located at least 15 feet from the district boundary line.
2. Building walls parallel to the district boundary line can be no longer than 75 feet.
3. Buildings and structures must be spaced apart to maintain views. There must be a minimum of 40 feet between buildings and structures.

C. Service Areas

Trash collection, trash compaction, recycling collection and other similar service areas must be located at least 25 feet from the district boundary line.



Sec. 3.5.5. Zone C: Height and Form

A. Permitted Activity

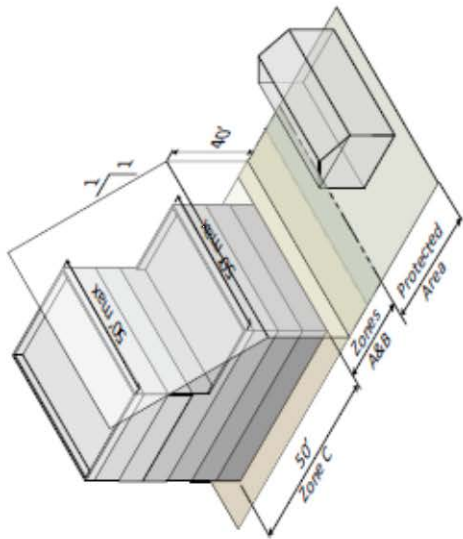
All structures and uses allowed in the zoning district are permitted in Zone C.

B. Height

1. No building or structure can be more than 40 feet in height at the Zone C line.
2. Height can increase subject to a 4.5 degree height plane measured from a height of 40 feet at the Zone C line, extending upward one foot for every additional foot of setback into the site.
3. The height plane applies up to 100 feet from the district boundary line.

C. Wall Articulation

The rear facade of the building that faces the residential property as described in Sec. 3.5.1.A. is subject to a maximum blank wall area of 30 feet as calculated in Sec. 1.5.10. The blank wall area provisions are not subject to an Administrative Alternate.



Application for Variance



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
Nature of variance request (if more space is needed, submit addendum on separate sheet): See attached sheet.	Transaction Number A-123-16
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

GENERAL INFORMATION		
Property Address 1019 Oberlin Road Raleigh NC 27605	Date 10.12.16	
Property PIN 1704056360	Current Zoning OX-3-PL-CU w NCOD & SRPOD	
Nearest Intersection Mayview Road	Property size (in acres) .34	
Property Owner 1019 Oberlin Road, LLC - Jonathan Anderson	Phone 919-578-3075	Fax 919-573-0806
Owner's Mailing Address PO Box 6356 Raleigh, NC 27628	Email andejw5@gmail.com	
Project Contact Person Kimberly J Wicker, RLA	Phone 919-539-0012	Fax
Contact Person's Mailing Address 537 E. Martin Street Raleigh, NC 27601	Email kimberly@coalydesign.com	
Property Owner Signature J.W.A.	Email [Signature]	
Notary Sworn and subscribed before me this 12 day of October, 2016	Notary Signature and Seal 	

Variance Application: 1019 Oberlin Road

Nature of variance request:

A Neighborhood Transition per Article 3.5 of the UDO is required along the southern property line. A variance from the Zone A Protective Yard requirement is requested due to the existing location of the driveway, house, and to allow for a surface parking lot for the redevelopment of the property.

A buffer is required to be located along the southern property line with the installation of a wall or fence with plant material. A variance from width and plant material requirement for a portion of the property line is requested below along with the justification for the variance.

The existing driveway is located 1.6' from the southern property line and the existing building is located 18.9' from the southern property line. The driveway is required to remain to access the site. Per zoning condition 3, and the Special Residential Parking Overlay District, the required 6 parking spaces must be located in the rear of the site.

A variance is requested from the required 6.5' wall height for 40 LF of the proposed wall length along the southern property line. Per code section 7.2.8 (C) (1), no wall greater than 42" shall be located within 20' of a Thoroughfare Right-of-Way. A 42" (3.5'), wall is proposed for a length of 20' perpendicular to the Right-of-Way. A variance request to then transition the wall to a height of 54" (4.5'), for an additional 20' is also requested. The total length of the wall proposed for the height variance request is 40 LF. Column breaks are proposed in the wall at each transition so that no section of wall is greater than 100 LF without a break and visual interest is achieved per code section 7.2.8 (B) (5). The proposed wall then transitions for the final length of the required wall for the Neighborhood Transition, to the full 78" (6.5'), required height.

A variance is also requested from the required plant material screening for 95 LF of the wall where it parallels the property line and existing access drive. The location of the existing drive 1.6' from the southern property line prohibits the installation of the plant material required to screen the wall. Plant material (vines) are proposed on both sides of the wall to meet the intent of the code requirement of section 7.2.8 (C) (2), so that no more than 1/3 of the wall surface area will be visible from the Thoroughfare (Oberlin Road), within 3 years of erection of the wall.

Where the buffer is required along the remainder of the southern property line (92 LF), adjacent to the proposed parking area, and at the rear of the site, a Zone A protective yard will be provided. The buffer will be provided using the Type 1, Narrow, and Type 2, Medium buffer. The required fence or wall and plant material will be provided. There is no variance requested for this remaining area along the southern property line.

Revisions	Rev.	Date	By

Date Issued: 10.19.16

 Scale: 1/4" = 1'-0"

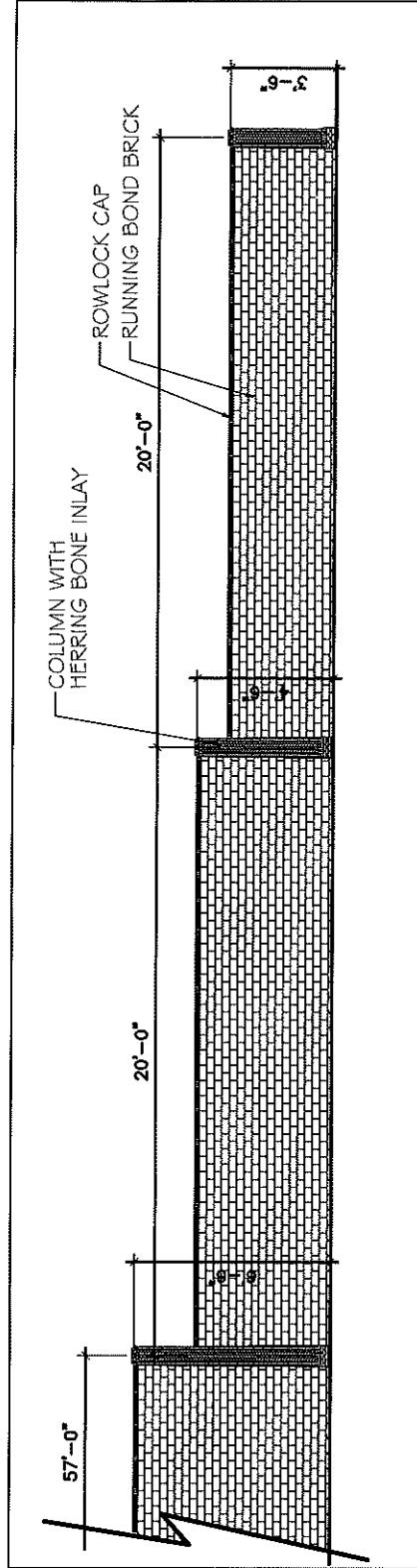
 Drawn by: CAD

 Checked by: KCB

 Sheet No.

LA-1

 of 1 sheet



○ VARIABLE HEIGHT BRICK FACE WALL
 1/4" = 1'-0"
 ELEVATION


[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)
[Tax Bills](#)

Real Estate ID 0077109 PIN # 1704056360

Location Address
1019 OBERLIN RDProperty Description
LO1 1019 OBERLIN RD LLC RCMB BM2016-01542Account
Search
[Pin/Parcel History](#) [Search Results](#) [New Search](#)

[NORTH CAROLINA](#) [Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Property Owner 1019 OBERLIN LLC (Use the Deeds link to view any additional owners)		Owner's Mailing Address PO BOX 6356 RALEIGH NC 27628-6356	Property Location Address 1019 OBERLIN RD RALEIGH NC 27605-1198
Administrative Data Old Map # D044-D0192-0005 Map/Scale 1704 09 VCS 01RA298 City RALEIGH Fire District Township RALEIGH Land Class R-<10-HS ETJ RA Spec Dist(s) Zoning R-10 History ID 1 History ID 2 Acreage .34 Permit Date Permit #		Transfer Information Deed Date 6/25/2015 Book & Page 16063 2036 Revenue Stamps Pkg Sale Date 6/17/2015 Pkg Sale Price \$363,000 Land Sale Date Land Sale Price Improvement Summary Total Units 1 Recycle Units 1 Apt/SC Sqft Heated Area 2,538	Assessed Value Land Value Assessed \$180,000 Bldg. Value Assessed \$183,247 Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value *Property Data Under Review Use/Hist/Tax Relief Assessed Total Value Assessed* *\$363,247

*Wake County assessed building and land values reflect the market value as of January 1, 2016, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2016 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2016 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at RevHelp@wakegov.com or call 919-856-5400.

Real Estate ID 0077109

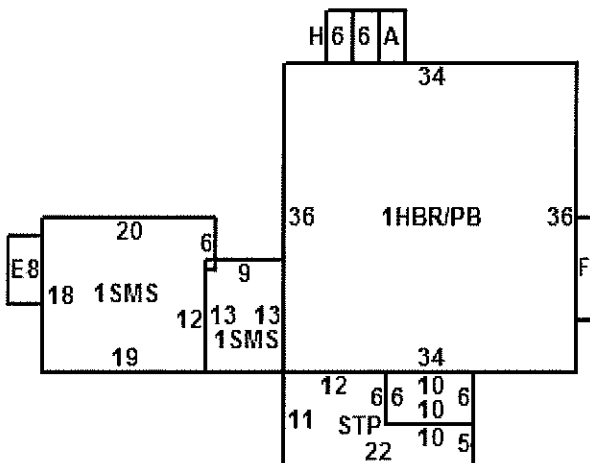
PIN # 1704056360

Account
SearchLocation Address
1019 OBERLIN RDProperty Description
LO1 1019 OBERLIN RD LLC RCMB BM2016-01542[Pin/Parcel History](#) [Search Results](#) [New Search](#)[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Building Location Address		Building Description		Card 01 Of 01	
1019 OBERLIN RD		01RA298			
Bldg Type	01 Single Family	Year Blt	1950	Eff Year	1970
Units	1	Addns	Remod		
Heated Area	2,538	Int. Adjust.	BSMT-25% Partly		
Story Height	1.5 Story		Fini		
Style	Conventional	Other	Multiple Firepl		
Basement	50% Partial Bas	Features			
Exterior	Brick				
Const Type					
Heating	Central				
Air Cond	Central				
Plumbing	1.5 BATH				
		Base Bldg Value	\$204,919		
		Grade	B 120%		
		Cond %	B 69%		
		Market Adj.	F 120%		
		Market Adj.	C 90%		
		Accrued %	75%		
		Incomplete Code			
		Card 01 Value	\$183,247		
		All Other Cards			
		Land Value Assessed	\$180,000		
		Total Value Assessed	\$363,247		

Main and Addition Summary						Other Improvements					
Story	Type	Code	Area	Inc		Units	DesItem	Code	Year	%ADJ	Inc Value
M	1H	BR/PB	1224			1	UN SHED	0064	1970	20	0
A	EP	T	36								
B	STP	=	182								
C	1 SMS	B	117								
D	1 SMS	B	348								
E	STP	=	32								
F	1 SMS	B	24								
G	1 SMS	B	60								
H	SP	S	36								

Building Sketch

Photograph
12/8/2011

0077109 12/08/2011

List of Adjacent Property Owners for 1019 Oberlin Road

Oberlin Court, LLC
Fellers, Schewe, Scott, and Roberts, Inc.
PO Box 450233
Atlanta, GA 31145

Oberlin Cemetery
1014 Oberlin Road
Raleigh, NC 27605

Greenlee Properties, LLC
1018 Oberlin Road
Raleigh, NC 27605

Wilson Chapel Methodist Church
1023 Oberlin Road
Raleigh, NC 27605

City of Raleigh Housing Authority
900 Haynes Street
Raleigh, NC 27604

Pamela Thomas
12501 Tappersfield Court
Raleigh, NC 27613

